General Assembly

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Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/58/L.61/Rev.1)*]

58/292. Status of the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling its resolutions 3237 (XXIX) of 22 November 1974, 43/177 of 15 December 1988 and 52/250 of 7 July 1998,

Recalling also Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002 and 1515 (2003) of 19 November 2003,

Recalling further the relevant provisions of international law, as well as relevant United Nations resolutions, with regard to Israeli settlements and to Occupied East Jerusalem,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Noting that Palestine, in its capacity as observer and pending its attainment of full membership in the United Nations, does not present credentials to the General Assembly,

Affirming the need to enable the Palestinian people to exercise sovereignty and to achieve independence in their State, Palestine,

1. *Affirms* that the status of the Palestinian territory occupied since 1967, including East Jerusalem, remains one of military occupation, and affirms, in accordance with the rules and principles of international law and relevant resolutions of the United Nations, including Security Council resolutions, that the Palestinian people have the right to self-determination and to sovereignty over their territory and that Israel, the occupying Power, has only the duties and obligations of an occupying Power under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949[1] and the Regulations annexed to the Hague Convention respecting the Laws and Customs of War on Land, of 1907;[2]

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.

[2] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

2. *Expresses its determination* to contribute to the achievement of the inalienable rights of the Palestinian people and the attainment of a just and comprehensive negotiated peace settlement in the Middle East resulting in two viable, sovereign and independent States, Israel and Palestine, based on the pre-1967 borders and living side by side in peace and security.

87th plenary meeting
6 May 2004